

PUBLIC HEARINGS

August 22, 2011

Public Hearings were held on Monday, **August 22, 2011**, at 6:14 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, to solicit public comment, written or oral, on **Bill Number 11-24** regarding a quit claim deed, and **11-28** establishing a stormwater management utility for implementation of the Berkeley County Stormwater Management Program.

Present: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Steve C. Davis, Council Member District No. 8, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Jack H. Schurlknight, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Ms. Nicole Scott Ewing, County Attorney; and Ms. Catherine Windham, Interim Clerk of Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Daniel Davis called the meeting to order and stated there were two Public Hearings being held to solicit public comment, written or oral.

There were no written comments on the bills for Public Hearing.

Bill No. 11-24, an **ordinance** to authorize the County Supervisor to execute a **quit claim deed** from Berkeley County to **Foster Creek Village, LLC**, for the property herein described as a portion of Foster Creek Road.

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:14 p.m.

Bill No. 11-28, an **ordinance** establishing a **stormwater management utility** for the purpose of implementing the Berkeley County Stormwater Management Program and satisfying the regulatory requirements of the State of South Carolina NPDES general permit for stormwater discharges from regulated small municipal separate storm sewer systems; planning, designing, constructing, funding and maintaining stormwater management, sediment control and flood control programs, projects and facilities; and reviewing and approving stormwater management and sediment control plans for land disturbing activities; and providing for the administration and enforcement thereof.

Chairman Daniel Davis asked if there were any public comments.

Ms. Linda Riney, residing at 2052 Highway 311, Cross: “Good evening Mr. Chairman, Members of Council. My father, God rest his soul, told me something a lot of years ago. If somebody is telling you a story, relating something to you, and they relate it to you the second time and it’s different, somebody is lying. I found over my many years that to be very, very true. Some weeks ago, about oh nine of us, I think it was, called for a meeting with Mr. Frank Carson, and we wanted to get some questions answered about this Stormwater Management Program, and we were told a lot of things. We were told that we’ve got to charge this 1.4 million dollars to pay for all the mandates that the County’s getting, and if we don’t charge this money to pay for all these things, we were going to be fined as much as \$800,000 just like Lexington was. Well, I’ve got a letter right here signed by Mr. Davis that says Berkeley County is in complete compliance with this. We have applied for a new permit. I don’t know whether you’ve got it yet or not. I haven’t been able to find out, but we’re in compliance with everything. I also have an in-house document from Columbia from the head office that’s supposed to be pushing us into doing this that says the County’s in compliance with, with the – I don’t think they used a figure; they’ve said the vast majority of the requirements of this Stormwater Management Program under their code ordinances and their zoning ordinances. A lot of the requirements for this program come under things that Roads and Bridges, and water and sewer already do. Now, if this year, we only had to spend \$75,000 – and I also have a side-by-side comparison of what was required in the last permit and what’s gonna be required in this permit, and I do not see the difference between 75,000 and 1.4 million when most of the things required in the new permit are things like community education. Ok, call a meeting. Have everybody come in here. It doesn’t cost very much, just the light bill and the air conditioning. And, you could have a meeting every cotton-pickin day for five years, and you wouldn’t spend 1.4 million dollars. And, the other thing is the only requirements, and I’ve gone through these documents at length, and the only major difference is administrative to gather all this information, and send it off to the Feds. That does not cost 1.4 million dollars. This entire thing is a fraud. Thank you.”

Chairman Daniel Davis: “Thank you. Anyone else?”

Mr. Truman Metts: “Good evening, Council. My name is Truman Metts. I live at 512 Division Street here in Moncks Corner, South Carolina. As you all know or should know, if from no one but myself, there’s a lot of education/training that goes with this program. And, for your information, I’ve had not one but two lengthy telephone conversations with Ann Clark. And, if I recall, she’s the Director of this program for the State of South Carolina. I’ve also received some documentation from Mr. Arturo, the last name (Ovalles) I can’t pronounce very well. He’s the author of the permit. And, I’d like to leave you with one thought, because I hope I’m wrong, but I think you’re gonna vote tonight for the Second Reading and the Third, etcetera, etcetera; however, it’s called the South Carolina MS-4 Case Studies. And, I noticed in there from Horry County, whoever made the report to the state said if he or she had it to do over again, they would not use an impact fee or use the fee, which was \$29.40. So, again, I encourage each of you to do half as much as I’ve done to educate myself on this program, and I think most of you are educated enough to make what I call an educated decision about this important issue for the residents, especially in the rural area of the County. I’m sure they don’t have \$36.00 to hand over to this County come October. So, please do that much and publicly state to these folks,

'I've done as much as Mr. Metts to review this case, and I feel comfortable with my decision.' If you can do that, than I have no argument with any of you. Thank you very much."

Chairman Daniel Davis: "Anyone else?"

There were no further public comments, and this Public Hearing was declared ended at 6:21 p.m.

S/Catherine R. Windham
Interim Clerk of County Council

September 26, 2011
Date Approved

AGENDA FOR PUBLIC HEARINGS BERKELEY COUNTY COUNCIL

BERKELEY COUNTY COUNCIL will hold Public Hearings on **Monday, August 22, 2011, at 6:02 p.m.**, or as soon thereafter as may be heard following other Public Hearings, and immediately following any scheduled Committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, S. C., to receive public comment, written or oral, regarding the following:

CALL TO ORDER

1. **Bill No. 11-24**, an **ordinance** to authorize the County Supervisor to execute a **quit claim deed** from Berkeley County to **Foster Creek Village, LLC**, for the property herein described as a portion of Foster Creek Road.

PUBLIC DISCUSSION

2. **Bill No. 11-28**, an ordinance establishing a **Stormwater Management Utility** for the purpose of implementing the **Berkeley County Stormwater Management Program** and satisfying the regulatory requirements of the State of South Carolina NPDES general permit for stormwater discharges from regulated small municipal separate storm sewer systems; planning, designing, constructing, funding, and maintaining stormwater management, sediment control, and flood control programs, projects and facilities; and reviewing and approving stormwater management and sediment control plans for land disturbing activities; and providing for the administration and enforcement thereof.

PUBLIC DISCUSSION

August 17, 2011
S/Catherine R. Windham
Interim Clerk to County Council